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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,153	10/09/2001	Viswanathan Lakshmanan	01-372	5605

7590 07/21/2004

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EXAMINER	
KENDALL, CHUCK O	

ART UNIT	PAPER NUMBER
2122	

DATE MAILED: 07/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/973,153	LAKSHMANAN ET AL.	
	Examiner	Art Unit	
	Chuck Kendall	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 October 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *10* is/are allowed.

6)☒ Claim(s) *1-9 and 11-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the application filed 10/09/01.

2. Claims 1 – 20 have been examined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 9, &11-20 are rejected under 35 U.S.C. 103(a) as unpatentable over Croix US 2002/0100034 A1 in view of Jammes et al. USPN 6,484,149 B1.

Regarding claim 1, Croix discloses a server configured to receive a request for an Open Library Architecture Delay and Power Calculation Module and produce the Open Library Architecture Delay and Power Calculation Module in response to the request (col. 4, [0046 – 0048]). Although Croix doesn't expressly disclose said server configured to create a Delay Calculation Language memory module based on the request, Croix does mention storing application function pointers in the OLA enabled compiled library (col. 4, [0047]).

However, Jammes in an analogous art discloses an Add Branch routine which allocates memory for new nodes and creates pointers, (21:25 – 30). Therefore it would have been obvious to one of ordinary skill in the art at the time

invention was made to combine Croix and Jammes because, creating or generating memory and or memory locations enables the system to store basd on specific requests.

Regarding claim 2, a server as defined in claim 1, wherein said server is configured to compile the Delay Calculation Language memory into an intermediate form, and is configured to compile the intermediate form into the Open Library Architecture Delay and Power Calculation Module (Croix, section 0047, see compilation and runtime process, Examiner understands the compilation process to inherently yield intermediate code].

Regarding claim 3, a server as defined in claim 2, wherein the intermediate form is C- source (see Croix, 0052, for C++).

Regarding claim 4, a server in claim 1, where the server is configured such that the Open Library Architecture Delay and Power Calculation Module is downloadable (Croix, 0050, see DPCM loader and across applications).

Regarding claim 5, a server as defined in claim 1, wherein the server is configured to receive a request which specifies the configurations and types of memories for which an Open Library Architecture Delay and Power Calculation Module is needed (Croix, see section 0047 and 0048).

Regarding claim 6, Croix discloses all the claimed limitations as applied in claim 1 above. Croix doesn't explicitly disclose a Common Gateway Interface/Practical Extraction and Report Language Script, which is configured to process the request, although he does disclose an OLA. However, Jammes in an analogous art discloses A CGI (Common Gateway Interface), which he notes is a standard interface which a Web Server uses to interact with external programs (7:40-45). Therefore it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Croix and Jammes because, it would enable a Web Server to better efficiently interact with external programs.

Regarding claim 7, James further discloses per rejection in claim 6 a server as defined in claim 1, further comprising Common Gateway

Interface/Practical Extraction and Report Language Script which is configured to process the request (Jammes, 7: 40 – 43).

Regarding claim 8, a server as defined in claim 7, wherein the Common Gateway Interface/Practical Extraction and Report Language Script is configured to process the request by sourcing necessary environment variables, running a memory generation too to create Delay Calculation Language memory Modules, invoking a compiler to compile the Delay Calculation Language memory modules (Croix, section 0047, see compilation)

Regarding claim 9, a server as defined in claim 7, wherein the Common Gateway Interface/Practical Extraction and Report Language Script is configured to create Delay Calculation Language side files which are used during the compilation with information relevant include files and calculation files (Croix, section 0047, see DPCM).

Regarding claim 11, which cites similarly to previously discussed claim see rationale in claim 1.

Regarding claim 12, a user interface as defined in claim 11, further comprising a library of templates, which the memory generation tool uses to create the Delay Calculation Language model (Croix, 0047).

Regarding claim 13, Croix discloses all the claimed limitations as applied in claim 11 above. Although Croix discloses direct interfaces using TCP/IP and a Delay Calculation model (0047, also see 0053) Croix doesn't expressly disclose, wherein the user interface is configured to create a Hyper Text Markup Language file based on the Delay Calculation model. However, James does disclose a Web server 106 in 8: 15 as well as utilizing HTML 8:15 – 20, also see (Jammes, FIG.1, 126). Therefore it would have been obvious to one of ordinary skill in the art at the time invention was made to combine Croix and Jammes because, HTML is a standard coding convention used by Web servers 7:15.

Regarding claim 14, James further discloses per rejection in claim 13 a user interface as defined in claim 13, wherein said Hyper Text Markup

Language file is configured to provide selectability of memory configurations and types (Jammes 18: 25 – 40).

Regarding claim 15, a user interface as defined in claim 11, wherein the user interface is configured such that an Open Library Architecture Delay and Power Calculation Module based on the request is downloadable (Croix, 0050, see DPCM loader and across applications).

Regarding claim 16, the method version of claim 1, see rationale as previously discussed above.

Regarding claim 17, the method version of claim 3, see rationale as previously discussed above.

Regarding claim 18, a method as defined in claim 6, further comprising using a memory generation tool to create a delay calculation language model, and having the user interface generate the request based on the Delay Calculation Language model (Croix, section 0047, see DPCM).

Regarding claim 19, a method as defined in claim 16, further comprising using a library of templates to create the Delay Calculation Language model(see Croix, section 0045 – 0048see DPCM, and OLA library).

Regarding claim 20, the system version of claim 1, see rationale as previously discussed above.

Reason for Allowance

The prior art of record does not teach or fairly suggest at least:

"...invoking a second compiler to compile the C-source to create the Open Library Architecture Delay and Power Calculation Module, wherein the code is configured to create Delay Calculation Language side files which are used during the compilation with information on relevant include files and calculation files..". as recited in independent claim 10.

Therefore claim 10 is in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Correspondence Information

Any inquires concerning this communication or earlier communications from the examiner should be directed to Chuck O. Kendall who may be reached via telephone at (703) 308-6608. The examiner can normally be reached Monday through Friday between 8:00 A.M. and 5:00 P.M. est. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached at (703) 305-4552. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

For facsimile (fax) send to 703-7467239 official and 703-7467240 draft

Chuck O. Kendall

Software Engineer Patent Examiner

WEI Y. ZHEN
PRIMARY EXAMINER